

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
SOUTHERN DIVISION**

**GARY HARTNESS**

§

**PLAINTIFF**

§

**v.**

§

**CAUSE NO. 1:06CV1031**

§

**MISSISSIPPI STATE PORT  
AT GULFPORT, ET AL.**

§

§

**DEFENDANTS**

**ORDER GRANTING AGREED MOTION  
TO DISMISS WITHOUT PREJUDICE**

THIS MATTER comes before the Court on the Motion [11] of the Plaintiff and Defendant Turbana Corporation and upon consideration of the Motion, having been signed by counsel for the Plaintiffs and Defendant Turbana Corporation, the Court finds the Motion is well taken and should be GRANTED.

**IT IS THEREFORE ORDERED AND ADJUDGED** that the Agreed Motion [11] to Dismiss Without Prejudice is **GRANTED**. Turbana Corporation is **DISMISSED WITHOUT PREJUDICE** pursuant to Fed. R. Civ. P. 41(a)(2) as a party Defendant in this action, with costs taxed as paid.

**SO ORDERED AND ADJUDGED** this the 7<sup>th</sup> day of November 2006.

s/ *Louis Guirola, Jr.*

Louis Guirola, Jr.  
United States District Judge